

Atty. Dkt. No. 03CR156/KE

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Claims 1-20 remain pending in this application.

1. §112 Rejection

In Section 4 of the Office Action, the Examiner rejected claims 1-6 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner asserted that the phrase “an efficient number” created unclear claim language. Applicants respectfully disagree.

The term efficient is well know and well defined and does not render the claim unclear. One exemplary definition provides that efficient means “Acting or producing effectively with a minimum of waste, expense, or unnecessary effort.” (The American Heritage® Dictionary of the English Language, Fourth Edition, Houghton Mifflin Company, 2000) The specification, at page 11, paragraph 45, further refers to the efficiency goal of providing a balance between high error detection and correction and high throughput. Reconsideration and withdrawal of the rejection of claims 1-6 under 35 USC §112 is respectfully requested.

2. §102 Rejection

In Section 6 of the Office Action, the Examiner rejected claims 1,2, 6-8, 12-16, and 20 under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,182,261 to Haller et al. (hereinafter Haller). The Examiner stated that:

“Haller teaches that a control unit 116 (“processor”) determines when to stop decoding of packets by determining when the minimum or the maximum number of iterations has been reached. (citing col. 12, ll. 53 et seq.) Haller further teaches that each new packet is pass in a continuous process between the first and second

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decoders until a minimum number of iterations is reached. (citing col. 14, ll. 55-68) Haller teaches that a CRC device checks for errors and outputs a signal indicating the termination of the decoding process. (citing col. 15, ll. 40-65)”

Applicants respectfully traverse the Examiner’s rejection.

Claims 1 recites “a processor configured to determine an efficient number of iterations for an iterative decoder based on the data throughput value.” Claim 7 recites “determining a number of iterations to be performed by an iterative decoder based on the data throughput value.” Claim 13 recites “a processor configured to determine a data throughput value and determine the number of iterations to be performed by the iterative decoder based on the data throughput value and further configured to control the number of iterations performed by the iterative decoder based on the determination.” Applicants assert that these limitations are not taught or suggested by Haller.

Haller, in the sections cited by the Examiner, does not teach or suggest that the number of iterations performed is based on a data throughput value. A data throughput value is a value representative of the amount of data currently being received and already received but not processed at receiving module. (Specification, Page 7, Paragraph 31). Accordingly, each and every element of Claims 1, 7, and 13 is not taught or suggested by Haller. Reconsideration and withdrawal of the rejection of claims 1, 7, and 13 is respectfully requested.

Claims 2 and 6 depend from claim 1 and include all of the limitations thereof. Claims 8 and 12 depend from claim 7 and include all of the limitations thereof. Claims 14-16 and 20 depend from claim 13 and include all of the limitations thereof. These claims are allowable for at least the same reasons as the independent claims from which they depend. Reconsideration and allowance of claims 2, 6, 8, 12, 14-16, and 20 is respectfully requested.

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3. §103 Rejection

In section 8 of the Office Action, the Examiner rejected claims 3-5, 9-11, and 17-19 under 35 USC §103(a) as being unpatentable over Haller in view of U.S. Patent No. 6, 233,709 to Zhang et al. (hereinafter Zhang). The Examiner state that Zhang teaches "an apparatus for iterative decoding that uses the BER (bit error rate) to determine the upper and lower limits for the number of iterations and that a process may determine the number of iterations from a lookup table." (citing col. 3, ll. 25-65). Applicants respectfully traverse the rejection.

As stated above, claims 1, 7, and 13 recite determining a number of iterations based on a data throughput value. Determining the number of iterations based on a bit error rate is not determining a number of iterations based on a data throughput value. Accordingly, Zhang does not cure the deficiencies noted above with reference to claims 1, 7, and 13.

Claims 3-5 depend from claim 1 and include all of the limitations thereof. Claims 9-11 depend from claim 7 and include all of the limitations thereof. Claims 17-19 depend from claim 13 and include all of the limitations thereof. These claims are allowable for at least the same reasons as the independent claims from which they depend. Reconsideration and allowance of claims 3-5, 9-11, and 17-19 is respectfully requested.

4. Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

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